

REQUEST FOR QUALIFICATIONS

FOR

NEW PUBLIC WORKS COMPLEX CONSTRUCTION MANAGER-AT-RISK

NAVAJO COUNTY, ARIZONA

Contract Number B13-06-021

JUNE 21, 2013

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NAVAJO COUNTY NOTICE OF REQUEST FOR QUALIFICATIONS #B13-06-021

FOR CONSTRUCTION MANAGER-AT-RISK PROJECT For CONSTRUCTION OF A NEW PUBLIC WORKS COMPLEX

Notice is hereby given that Navajo County is requesting Statements of Qualifications (SOQ) for construction manager-at-risk firms to complete the construction of a new Public Works Complex in Holbrook, Arizona.

The Request for Qualifications (RFQ) is available from the Deputy Director of Public Works Administration, Navajo County Public Works Department, P.O. Box 668, Holbrook, AZ 86025, (928) 524-4100 or online at www.navajocountyaz.gov.

SOQ from firms or teams must be submitted in a sealed envelope. The RFQ number and the respondent's name and address should be clearly indicated on the outside of the envelope, to be delivered to the Clerk of the Board of Supervisors at the Navajo County Governmental Center, 100 E. Code Talkers Drive, Holbrook, AZ 86025, on or before **July 23, 2013 at 3:00 PM local Arizona time** The original SOQ and four copies (five total) must be submitted. All SOQ will be opened and publicly verified at that time.

SOQ will be evaluated according to the criteria described in the RFQ, and a team or firm selected in accordance with Section 34-603 of the Arizona Revised Statutes to perform the work.

Navajo County reserves the right to reject any or all SOQ, or waive any informality in any SOQ. No respondent may withdraw its SOQ for sixty days after the date set for the opening thereof, and each respondent shall include as a team member an appropriately licensed contractor authorized to perform work in the State of Arizona

The County reserves the right to cancel the RFQ at any time.

Publish Date(s)

Holbrook Tribune News: 06/26/2013 & 06/28/2013

SECTION I - PROJECT DESCRIPTION

The project described as the **New Public Works Complex** is further described below:

Background

The Navajo County Public Works Department has the desire to build a new Public Works Complex within the Holbrook City limits on an undeveloped site near the Navajo County Governmental Complex, at the northwest corner of the intersection of SR 77 and SR 377.

Project Description

Navajo County has approximately \$4.5 million dollars allocated for a new Public Works Complex. This building will house the County's Public Works department and replace the existing Holbrook Road Yard. This project will encompass:

- The building will include 10,844 SF of maintenance area for heavy equipment and 12,247 SF of office area which will include a large conference room for emergency operations.
- Two Storage buildings, 2,000 SF each.
- Covered Storage area, 2,000 SF.
- Potentially a Vehicle Wash, 3,500 SF.

Navajo County will complete on-site grading, building pad, paving and utilities, SR77 pavement improvements, relocation of existing fuel station and off-site utilities. Navajo County will provide a certified building pad prior to issuing a Notice to Proceed.

SECTION II - SCOPE OF WORK

The construction manager-at-risk (CMAR) will be selected to manage and coordinate the construction of the New Public Works Complex. The Construction documents are presently being prepared and it is estimated that they will be completed late August 2013.

The CMAR will provide a Guaranteed Maximum Price (GMP) based on the engineered construction design from the County's Architect and Engineering firm for the construction. It is the County's goal that all construction be completed by October 2014.

The Scope of Work will include, at a minimum, the following:

- A. Prepare final Guaranteed Maximum Price (GMP) for the work selected for construction of the Public Works Complex. It is anticipated to have the GMP approved late September 2013.
- B. Upon approval of the GMP, and issuance of the Notice to Proceed (anticipated October 2013), construct the selected Public Works Complex building plan.
- C. Obtain all required permits in the name of Navajo County.

- D. Provide required project oversight during construction.
- E. Provide Navajo County with a finished project, ready for occupancy, after final punch list items are completed.

SECTION III -QUALIFICATIONS EVALUATION CRITERIA

The construction-manager-at-risk (CMAR) will be selected through the two-step qualifications-based selection process, as described in ARS § 34-603. Firms interested in providing construction-manager-at-risk (CMAR) services for this project must submit an SOQ that addresses the following issues:

- A. General Information (**5 points**).
 - 1. Provide a general description of the firm or team that is proposing to provide construction-manager-at-risk (CMAR) services. Explain the legal organization of the firm or team. Provide an organization chart showing the key personnel.
 - 2. Provide the following information:
 - a. List the Arizona professional and contracting licenses held by the firm and/or team members.
 - b. Identify any contract or subcontract held by the firm, or any team member, which has been terminated in the last five years.
 - c. Identify any claims arising from a contract held by the firm, or any team member, in the last five years, and the outcome of the claim.
 - d. Provide proof that the firm or team can provide bonding by an A- or better surety company.
- B. Experience and qualifications of the firm or team (25 Points).
 - 1. Provide a list of projects started within the past 18 months with the dates started, completed, original and completed cost.
 - 2. Identify four recent comparable projects which the firm or team has successfully completed and why you think these projects are relevant to the Public Works Complex project. Please emphasize projects of similar size.
 - 3. For each of the four projects listed above, provide:
 - a. Description of the project, and relevance,
 - b. the role of the firm or team member,
 - c. the original and completed cost,
 - d. the date of the work.
 - e. the name of the owner, and
 - f. Reference information (current names, telephone numbers and e-mail address).

- C. Experience of key personnel assigned to the project (**15 points**).
 - 1. For each key person identified, provide a short resume of the person's professional qualifications and experience.
 - 2. Length of employment with your firm.
 - 3. Provide information on what role key personnel played on each of the four projects listed.
 - 4. Provide each key person's project role and availability for this project.
 - 5. Provide at least two references for each key person.
 - 6. List any proposed sub-consultants, their qualifications and their role in the project.
- D. Understanding of the project and approach to performing the required services (30 points).
 - 1. Discuss the major issues your team has identified on this project and how you intend to address each issue.
 - 2. Describe your team's organization and project management approach during the construction phases of the project. Briefly describe systems to be used and team experience in planning, scheduling, estimating and managing of similar projects.
- E. Principal office and local participation (15 Points).
 - 1. A strong local participation in this project is desired. Describe your firm's or team's, approach to maximize utilization of local resources, including local suppliers and equipment providers.
 - 2. Identify the team's principal office. Identify local staffing of your team, and the percentage of the work each will perform.
 - 3. Provide a subcontractor selection plan, indicating whether you will select subcontractors based on qualifications alone or on a combination of qualifications and price, local participation and affirming that you will not select subcontractors on the basis of price alone.
- F. Overall evaluation of the firm or team and its perceived ability to provide the required services (10 Points).

This is to be determined by the selection committee members. No submittal response is required.

SECTION IV – SUBMITTAL REQUIREMENTS

Firms interested in the **New Public Works Complex** project must submit an SOQ which includes a one page letter of transmittal, plus a maximum of twelve single sided pages (minimum 10 pt. font) of response to address the SOQ criteria (excluding resumes, but

including an organization chart). Resumes for each key team member shall be limited to a maximum length of two pages, and should be included in an appendix at the end of the SOQ. Please submit the original SOQ plus six copies (seven total) by 3:00 PM on July 23, 2013.

All submittals shall be sent or delivered to:

Clerk of the Board of Supervisors Navajo County Governmental Center 100 E. Code Talkers Drive P.O. Box 668 Holbrook, AZ 86025

Please be advised that failure to comply with the following criteria may be grounds for disqualification and will be strictly enforced:

- Receipt of the SOQ by the specified time and date.
- The correct number of copies of the submittal.
- Adherence to the maximum page limit.
- Deposit of the submittal in the correct location.

All information in the SOQ shall be machine printed for legibility. Only signatures are to be handwritten. SOQ found to be illegible in the judgment of Navajo County will be rejected.

Navajo County reserves the right to reject any SOQ not properly signed. All SOQ marked as original shall include a transmittal letter signed by an authorized reprehensive of the respondent in ink.

Fees and Pricing

Do not included any fees or pricing related to the project with the SOQ. However, after the award, the firm selected for the award shall submit and certify costs and pricing data in accordance with ARS § 34-603.

Integrity of SOQ

By submitting an SOQ, the respondent affirms:

- That it has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted SOQ.
- The submission of the SOQ did not involve collusive or other anti-competitive practices.
- The respondent shall not discriminate against any employee or application for employment in violation of any and all applicable law.

Mistake in SOQ

A respondent may withdraw the SOQ or correct any mistake by modifying the SOQ prior to the time and date set for receipt.

Rejection

Navajo County reserves the right to reject any or all SOQ or any part thereof, or accept any SOQ or any part thereof, and to waive or decline to waive any formality or informality in an SOQ as deemed to be in the best interest of Navajo County. Navajo County expressly reserves the right to reject any or all SOQ or reissue the RFQ.

Return of Documents

Any documents submitted in response to the RFQ become the property of Navajo County, and will not be returned.

Disclosure of Data

SOQ will not be open for public inspection until a binding contract is executed with a respondent and all other respondents have been so notified.

SOQ may contain confidential or proprietary data that the respondent does not wish disclosed for any purpose other than evaluation of the SOQ. If so, the respondent shall clearly identify the specific pages of the SOQ to be restricted. Navajo County assumes no liability for disclosure or use of unmarked data, or for the disclosure of marked data if that disclosure is required by law. Unless confidentiality is requested, information submitted in response to the RFQ may be disclosed in response to a request for inspection of public records submitted pursuant to applicable Arizona Revised Statutes.

Protest Policy

- A. Right to Protest. Any actual or prospective bidder, respondent, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract shall initially protest to the Procurement Officer.
- B. Resolution of Protests. The Procurement Manager issuing the solicitation shall have authority to resolve protests. Appeals from the decisions of the Procurement Manager may be made to the Board of Supervisors.

C. Filing of a Protest

- 1. Content of Protest: The protest shall be in writing and shall include the following information:
 - a. The name, address and telephone number of the protestant;
 - b. The signature of the protestant or its representative;
 - c. Identification of the solicitation or contract number:
 - d. A detailed statement of the legal and factual grounds of the protest including copies of relevant documents; and
 - e. The form of relief requested.

B. Time for Filing Protests

- 1. Protests Concerning Improprieties in a Solicitation.
 - a. Protests based upon alleged improprieties in a solicitation that are apparent before the solicitation due date shall be filed not less than five (5) working days before the solicitation due date.
- 2. Protests shall be filed within ten (10) days after issuance of notification of award or issuance of notice of intent to award.
- 3. The Procurement Manager, without waiving the County's right to dismiss the protest for lack of timeliness, may consider any protest that is not filed timely.
- 4. The Procurement Manager shall give notice of the protest to the successful contractor if award has been made or, if no award has been made, to all interested parties. Interested parties have the right to intervene.
- 5. Stay of Procurements during the Protest. In the event of a timely protest, the County may proceed further with the solicitation or with the award of the contract unless the Procurement Manager makes a written determination that there is a reasonable probability that the protest will be sustained or that the stay of procurement is not contrary to the substantial interests of the County.

6. Confidential Information

- a. Material submitted by a protestant shall not be withheld from any interested party except to the extent that the withholding of information is permitted or required by law.
- b. If the protestant believes the protest contains material that should be withheld, a statement advising the Procurement Manager of this fact shall accompany the protest submission in accordance with.

7. Decision by the Procurement Manager

- a. The Procurement Manager shall issue a written decision within fourteen (14) days after a protest has been filed. The decision shall contain an explanation of the basis of the decision.
- b. The Procurement Manager shall furnish a copy of the decision to the protestant, by certified mail, return receipt requested, or by any other method including facsimile or electronically, that provides evidence of receipt.
- c. The time limit for decisions may be extended by the Procurement Manager for a reasonable time not to exceed thirty (30) days. The Procurement Manager shall notify the protestant in writing that the time

- for the issuance of a decision has been extended, and the date by which a decision will be issued.
- d. If the Procurement Manager fails to issue a decision within the time limits, the protestant may proceed as if the Procurement Manager had issued an adverse decision.

Remedies

- a. If the Procurement Manager sustains the protest in whole or part and determines that a solicitation, evaluation process, proposed contract award or contract award does not comply with this policy, the manager shall implement an appropriate remedy.
- b. In determining an appropriate remedy, the Procurement Manager shall consider all the circumstances surrounding the procurement or proposed procurement including, but not limited to, the seriousness of the procurement deficiency, the degree of prejudice to other interested parties or to the integrity of the procurement system, the good faith of the parties, the extent of performance, costs to the County, the urgency of the procurement and the impact of the relief on the using agency's mission.
- c. An appropriate remedy may include one or more of the following:
- d. Decline to exercise an option to renew under the contract:
- e. Reject all bids, responses or proposals;
- f. Terminate the contract:
- g. Reissue the solicitation;
- h. Issue a new solicitation:
- i. Award a contract consistent with the procurement code; or
- j. Such other relief as is determined necessary to ensure compliance with this policy.
- 9. Appeals to the Board of Supervisors (BOS)
 - a. An appeal from a decision entered or deemed to be entered by the Procurement Manager shall be filed with the Clerk of the BOS within seven days from the date the decision is issued. The appellant shall also file a copy of the appeal with the Procurement Manager.
 - b. Content of Appeal. The appeal shall contain:
 - 1. Content of the protest;

- 2. A copy of the decision of the Procurement Manager; and
- 3. The precise factual or legal error in the decision of the Procurement Manager from which an appeal is taken.

10. Notice of Appeal

- a. The Procurement Manager shall give notice of the appeal to the successful contractor if award has been made or, if no award has been made, to interested parties. Such interested parties shall have the right to request copies of the appeal and to intervene in the proceedings.
- b. The Procurement Manager shall, upon request, furnish copies of the appeal to those interested parties.
- 11. Stay of Procurement during Appeal. If an appeal is filed during the procurement and before an award of a contract and the procurement or award of the contract was stayed by the Procurement Manager, the filing of an appeal shall automatically continue the stay unless the Procurement Manager makes a written determination that the procurement or award of the contract without delay is necessary to protect substantial interests of the County.
- 12. Procurement Manager Report. The Procurement Manager shall file a report on the appeal with the BOS within seven (7) days from the date the appeal is filed. At the same time, the Procurement Manager shall furnish a copy of the report to the appellant by certified mail, return receipt requested, and to any interested parties. The report shall contain copies of:
 - a. The appeal;
 - b. Any other documents that are relevant to the protest; and
 - c. A statement by the Procurement Manager setting forth findings, actions, recommendations and any additional evidence or information necessary to determine the validity of the appeal.

13. Extension for Filing of Report

- a. The Procurement Manager may request in writing an extension of the time period setting forth the reason for extension.
- b. The BOS's determination on the request shall be in writing, state the reasons for the determination and, if an extension is granted, set forth a new date for the submission of the report. The BOS shall notify the appellant in writing that the time for the submission of the report has been extended and the date by which the report will be submitted.

14. Comments on Report

- a. The appellant shall file comments on the Procurement Manager's report with the BOS within seven (7) days after receipt of the report. Copies of the comments shall be provided by the appellant to the Procurement Manager and all other interested parties. The comments must contain a statement or confirmation as to the appellant's requested form of relief.
- b. The BOS may grant an extension on the time period to file comments pursuant to a written request made by the appellant within the period stating the reason an extension is necessary. The BOS's determination on the request shall be in writing, state the reasons for the determination and, if the extension is granted, set forth a new date for the filing of comments. The BOS shall notify the Procurement Manager of any extension.

15. Dismissal before Hearing

- a. The BOS shall dismiss, upon a written determination, an appeal before scheduling a hearing if:
 - 1. The appeal does not state a valid basis, including a detailed statement of the legal and factual grounds, for protest; or
 - 2. The appeal is untimely.

16. Remedies

a. If the BOS sustains the appeal in whole or part and determines that a solicitation, evaluation process, proposed award, or award does not comply with this Code.

SECTION V - SELECTION PROCESS AND SCHEDULE

Navajo County will conduct a two-step qualifications-based selection process, in accordance with ARS § 34-603. A selection committee will evaluate each SOQ submitted according to the criteria and weighting set forth in Section III above. The selection committee will select a short list of no more than three firms or teams from the SOQ's received. If deemed necessary by the selection committee, each firm on the short list may be interviewed. Navajo County will also perform a due diligence investigation of the firms and teams on the short list.

At the conclusion of the evaluation of SOQ, the interviews (if any), and the due diligence investigation, the selection committee will rank in order of preference the firms and teams on the short list. Navajo County will enter into negotiations with the highest-ranked firm/team and execute a contract upon satisfactory negotiation of fees and contract terms. The firm/team selected will deliver the project through a fixed lump sum contract for CMAR services, followed by a Guaranteed Maximum Price construction contract. The firm/team will be responsible for all construction means and methods for the delivery of the completed and operational project.

The following tentative schedule has been prepared for the project:

SOQ due: July 23, 2013

Announcement of Short List: August 6, 2013 Conduct Short List Interviews: August 12, 2013

Board of Supervisors considers award of Pre-Construction Services

Contract: August 27, 2013

If Navajo County is unsuccessful in negotiating a contract with the highest-ranked firm/team, the County may negotiate with the second or third most qualified firm, or may decide to terminate the selection process.

SECTION VI - INDEMNIFICATION AND INSURANCE REQUIREMENTS

Navajo County will require the selected firm or team to execute a Construction Manager-At-Risk Service Contract. Submission of your SOQ shall indicate your firm's ability and agreement to execute a contract and provide the required indemnification and insurance.

SECTION VII- RESERVATION OF RIGHTS BY NAVAJO COUNTY

Navajo County expressly reserves the right to undertake any of the following if advantageous to the County:

- Reject any or all SOQ.
- Withhold the award for any reason it may determine.
- Terminate the RFQ process at any time.
- Reissue the RFQ.
- Extend the time frame for submission of the responses by notification to all parties who are known to have received a copy of the RFQ.
- · Request more information from any or all submitting respondents.
- Hold all SOQ for a period of 60 days after the opening date and time, and accept an SOQ not withdrawn before the scheduled date and time for receipt.
- Waive or decline to waive irregularities in any SOQ, or in the RFQ process.
- Decline to enter into a contract with any of the respondents.

SECTION VIII - GENERAL INFORMATION

This RFQ will be advertised in the official county newspaper, the Holbrook Tribune News and Dodge Construction Plan Room.

All firms submitting an SOQ must refrain from influencing any member of the selection committee to protect the integrity of the selection process. A non-collusion affidavit will be required from the successful respondent.

All cost for preparation, submission and/or delivery incurred by the respondent is the sole responsibility of the respondent and will not be paid by the County.

Any request for explanation of the meaning or interpretations of this RFQ shall be submitted no later than 5:00 p.m., local Arizona time, July 18, 2013. If the Department determines interpretations or explanations are warranted, the response will be issued as an addendum and will be furnished to all known Firms who have requested an RFQ by end of day on July 19, 2013. Navajo County takes no responsibility for informing recipients of changes to the original solicitation document. Written request(s) shall be addressed to:

Deputy Director of Public Works Administration Public Works Department 100 E. Code Talkers Drive P.O. Box 668 Holbrook, Arizona 86025

E-Mail: <u>jeanine.carruthers@navajocountyaz.gov</u>

Phone (928) 524-4100

Certification Regarding Debarment, Suspension, and Other Responsibility Matters Primary Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 13 CFR Part 145. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211). Copies of the regulations are available from local offices of the U.S. Small Business Administration.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTION ON NEXT PAGE)

- (1) The prospective primary participant certifies to the best of its knowledge and belief that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.
- Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective primary participant shall attach an explanation to this proposal.

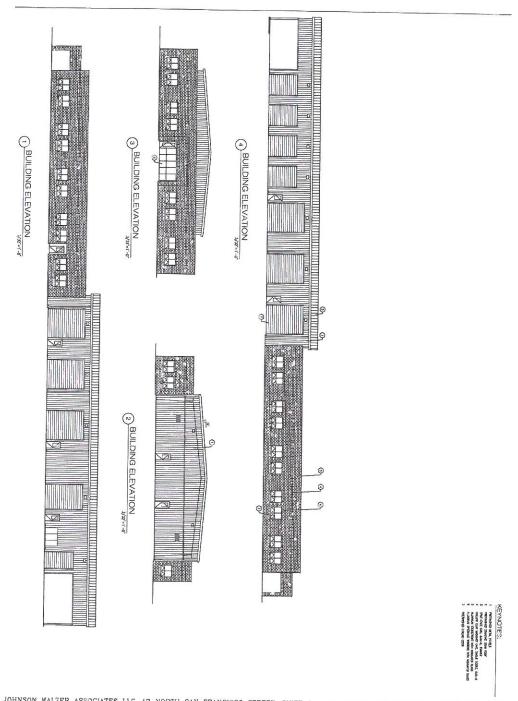
Business Name	
Date	
ByName and Title of Authorized Representative	
Signature of Authorized Representative	
SBA Form 1623 (10-88)	

INSTRUCTIONS FOR CERTIFICATION

- 1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
- 2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- 3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
- 4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is submitted for assistance in obtaining a copy of those regulations (13 CFR Part 145).
- 6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- 7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- 8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which

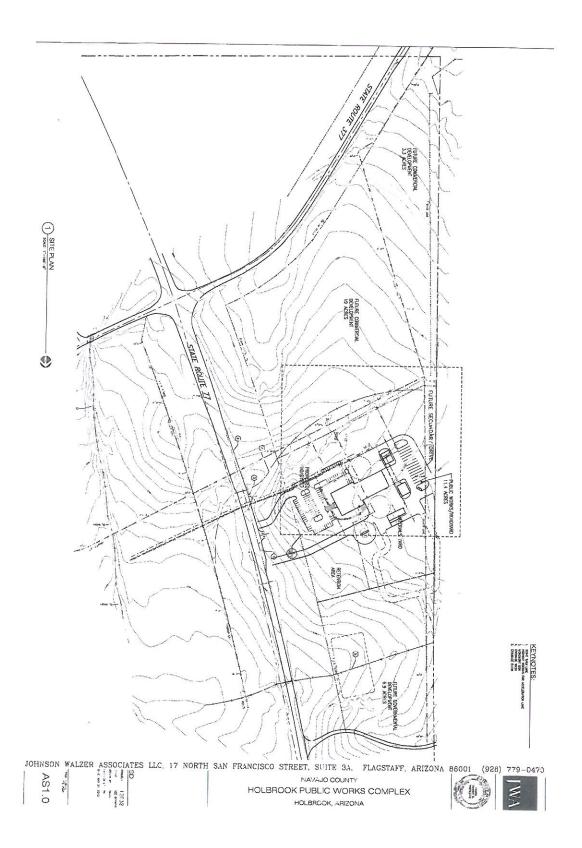
- it determines the ineligibility of its principals. Each participant may, but is not required to, check the Non-procurement List.
- 9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- 10. Except for transactions authorized under paragraph 6 of these instruction, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may termination this transaction for cause or default.

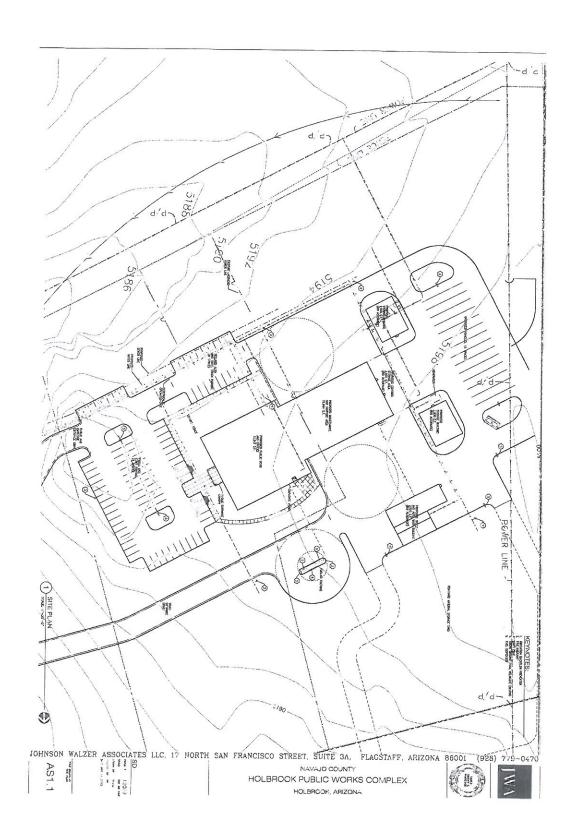
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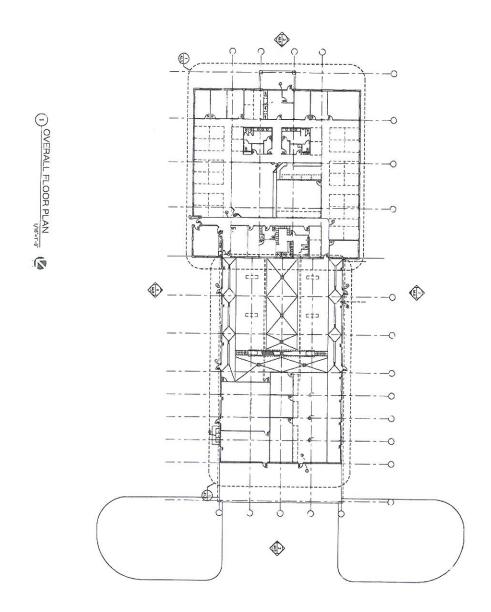


JOHNSON WALZER ASSOCIATES LLC, 17 NORTH SAN FRANCISCO STREET, SUITE 3A, FLAGSTAFF, ARIZONA 86001 (928) 779-0470

NA'AJO COUNTY
HOLBROOK PUBLIC WORKS COMPLEX
HOLBROOK, ARIZONA







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